

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Donald Dawaine Sutton

Docket No. 4:13-CR-44-1BO

Petition for Action on Supervised Release

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Donald Dawaine Sutton, who, upon an earlier plea of guilty to Possession With Intent to Distribute a Quantity of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Terrence W. Boyle, Chief United States District Judge, on April 24, 2014, to the custody of the Bureau of Prisons for a term of 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 120 months.

On June 26, 2015, pursuant to 18 U.S.C. § 3582(c)(2) of the Federal Rules of Criminal Procedure, the defendant's sentence of imprisonment was reduced to 70 months.

Donald Dawaine Sutton was released from custody on December 21, 2018, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 4, 2019, Sutton submitted to a urinalysis screening, which was confirmed positive for marijuana by Alere Laboratories. On January 17, 2019, Sutton was confronted with the results from the urinalysis, at which time he admitted to the use of marijuana while he was residing at the Residential Re-entry Center in Wilmington, North Carolina, prior to the onset of his supervised release. Nevertheless, Sutton was verbally reprimanded for his conduct.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: January 17, 2019

ORDER OF THE COURT

Considered and ordered this 17 day of January, 2019, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
Chief United States District Judge